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Atty. Dkt. No. 044463-0264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan PHILLIPS et al.
Title: VASCULAR-PREFERRED PROMOTERS
Appl. No.: 10/717,897
Filing Date: 11/21/2003
Examiner: Cynthia E. COLLINS
Art Unit: 1638
Confirmation No. 9078

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated October 18, 2008, and in the Advisory Action dated January 29, 2008, finally rejecting Claims 2 and 4-6.

[X] Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

04/21/2008 AWONDAF1 00000030 10717897

01 FC:1401
02 FC:1253

510.00 OP
590.00 OP

The required fees are calculated below:

| | | |
|-------|--|------------|
| [X] | Notice of Appeal Fee | \$510.00 |
| [X] | Extension for response filed within the third month: | \$1,050.00 |
| [X] | Extension Already Obtained for second month: | \$460.00 |
| | FEE TOTAL: | \$1,100.00 |
| [] | Small Entity Fees Apply (subtract ½ of above): | \$0.00 |
| | TOTAL FEE: | \$1,100.00 |

A credit card payment form in the amount of \$1,100.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 18, 2008

By Richard C. Peet

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